

Lauren Spires

From: Nicole Ussery <nicole.ussery@capitol.tn.gov>
Sent: Thursday, May 24, 2018 9:08 AM
To: Lauren Spires
Subject: RE: Request for letter

Follow Up Flag: Follow up
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My pleasure! Rep. Van Huss will be very interested in what you learn and has instructed me to provide you with any and all assistance. He has been trying to do something about Sex Week for at least the 4 years. Perhaps your research will finally give him the insight he needs to get it dealt with effectively.

Have a great holiday weekend.

Nicole

From: Lauren Spires [mailto:Lauren.Spires@cot.tn.gov]
Sent: Thursday, May 24, 2018 7:48 AM
To: Nicole Ussery
Subject: RE: Request for letter

Nicole,

Thank you so much for your quick response!

Lauren Spires

Legislative Research Analyst
Tennessee Comptroller of the Treasury
Office of Research and Education Accountability
Cordell Hull Building, 4th floor
425 Fifth Avenue North
Nashville, TN 37243-3400
Office: 615-747-5345
Lauren.Spires@cot.tn.gov

Tennessee Comptroller of the Treasury
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From: Nicole Ussery <nicole.ussery@capitol.tn.gov>
Sent: Wednesday, May 23, 2018 3:48 PM
To: Lauren Spires <Lauren.Spires@cot.tn.gov>
Subject: RE: Request for letter

Hey, Lauren

I am glad to know that you are going to be looking into Sex Week. I am sorry I missed Josh. I was upstairs at the going away party for Jan Kirk Wright.

The letter is attached. If you need anything further, please let me know.

Nicole A. Ussery
Legislative Assistant to Rep. Micah Van Huss
425 5th Avenue North, Suite 430
Nashville, TN 37243
Office Phone: 615-741-1717
Office Fax: 615-253-0301

From: Lauren Spires [<mailto:Lauren.Spires@cot.tn.gov>]
Sent: Wednesday, May 23, 2018 2:20 PM
To: Nicole Ussery
Cc: Russell Moore; Joshua Testa
Subject: Request for letter

Hi Nicole,

I hope you are doing well! My colleague Josh and I just stopped by your office, but saw you were out, so I am following up with an email.

Members of the legislature have asked that our office research UT Sex Week. It is our understanding that Rep. Van Huss sent a letter with regards to UT Sex Week to Dr. DiPietro on 4/24/18, to which UT's General Counsel replied with a letter dated 5/15/18.

For the purpose of our research into this topic, is it possible for us to have a copy of the letter Rep. Van Huss sent to Dr. DiPietro on 4/24?

Thank you so very much for your assistance in this matter.

Sincerely,

Lauren Spires
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Tennessee Comptroller of the Treasury
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MICAH VAN HUSS

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HOUSE OF REPRESENTATIVES

April 24, 2018

Dr. Joe DiPietro, President
University of Tennessee
800 Andy Holt Tower
1331 Circle Park
Knoxville, Tennessee 37996

Dear President DiPietro:

In 2016, the General Assembly passed a law to prevent state funds from being used to fund or support "Sex Week" at the University of Tennessee. The codified version follows:

9-4-5119. Prohibited use of state funds by University of Tennessee Use of funds in budget of office of diversity and inclusion.

(a) State funds shall not be expended by the University of Tennessee to promote the use of gender neutral pronouns, to promote or inhibit the celebration of religious holidays, or to fund or support sex week. [emphasis added]

In spite of this, the University of Tennessee allowed SEAT to use campus facilities for "Sex Week" again this year. This is a clear violation of this law, as well as its intent.

Through a spokesperson, the University has stated that Sex Week is protected by the First Amendment and the Campus Free Speech Protection Act (TCA 49-7-2401-2405). We fully support the Freedom of Speech. The Supreme Court has said that there are limits on what constitutes free speech. Your own policy, "Use of University Property by Non-Affiliated Persons for Free Expression Activities", sets up time, place, and manner restrictions that specifically state that a non-affiliated person using University property shall not "violate a federal, state, or local law, rule, regulation, or ordinance" or "engage in speech that is obscene". According to the Tennessee Code Annotated:

Obscene means:

- (A) The average person applying contemporary community standards would find that the work, taken as a whole, appeals to the prurient interest;
- (B) The average person applying contemporary community standards would find that the work depicts or describes, in a patently offensive way, sexual conduct; and;
- (C) The work, taken as a whole, lacks serious literary, artistic, political, or scientific value

Looking at the event names and descriptions for Sex Week posted on SEAT's website, it is readily apparent that the content meets this standard.

Given this, we, the undersigned, would like for you and Chancellor Davenport to each provide us with your thoughts on the following:

- Should Sex Week be held off campus?
- Does Sex Week promote a "hook-up" culture that is damaging to individuals and society as a whole?
- Should the University prevent the use of UT or any other reference to the University in the title of this event in order to make clear that it is not affiliated with the University of Tennessee?

We look forward to your reply.

Respectfully,



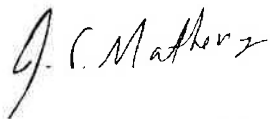
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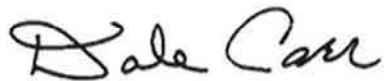
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Representative Courtney Rogers
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Representative Susan Lynn
House District 57



Representative John Ragan
House District 33

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Representative Sheila Butt
House District 64

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Representative David Alexander
House District 39

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Representative Paul Sherrell
House District 43

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Representative Mary Littleton
House District 78

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Representative Jimmy Matlock
House District 21

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Representative Matthew Hill
House District 7

A handwritten signature in black ink, appearing to read "Matthew Hill".

Representative David Hawk
House District 5

CC: Chancellor Beverly J. Davenport